
**Agriculture & Natural Resources
Committee**

SSB 5005

Brief Description: Regarding naturally raised beef cattle.

Sponsors: Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Jacobsen and Swecker).

Brief Summary of Substitute Bill

- Creates a program (Program) within the Washington State Department of Agriculture (WSDA) to certify and market cattle from Washington as either Washington-certified natural beef cattle or Washington-certified natural grass-fed beef cattle.
- Provides certification requirements for cattle and instructions for the WSDA regarding marketing of the Program and required rulemaking.
- Provides inspection, judicial review, and penalty provisions for enforcing the Program.

Hearing Date: 3/20/09

Staff: Anna Jackson (786-7190)

Background:

Organic Food Products Act.

The Washington Organic Food Products Act (Act) governs the standards, labeling, and advertising of food products and agricultural commodities that are produced organically [RCW 15.86.010(1)]. "Organic food" is defined under the Act as any agricultural product, including meat, dairy, and beverages, that is marketed using the term "organic" or any derivative of organic and that is produced, handled, and processed in accordance with the Act [RCW 15.86.020(2)]. In order to lawfully sell, offer for sale, or process any agricultural product within Washington with an organic label, a person must be certified under the Act by the Washington State Department of Agriculture (WSDA) or a recognized organic certifying agent [RCW 15.86.090

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(1)]. Final retailers of organic food that do not process organic food products do not need to be certified [RCW 15.86.090(2)(a)]. Organic food includes livestock; 34 organic beef producers currently operate in Washington.

Summary of Bill:

A program (Program) is created within the WSDA to certify and market cattle from Washington as either Washington-certified natural beef cattle or Washington-certified natural grass-fed beef cattle. To qualify as Washington-certified natural beef cattle (Natural Cattle), cattle must be born and raised in Washington and raised and finished in compliance with the U.S. Department of Agriculture (USDA) voluntary marketing standard for naturally raised livestock and meat products. The USDA standard requires that cattle: (1) be raised without growth hormones or antibiotics, and (2) have never been fed animal by-products. To qualify as Washington-certified natural grass-fed beef cattle (Grass-Fed Cattle), cattle must meet the requirements of Natural Cattle and be raised and finished in compliance with the USDA voluntary marketing standard for grass-fed livestock and meat products. In order to be labeled, sold, or represented as beef from either Natural Cattle or Grass-Fed Cattle, the beef must have been harvested from cattle certified under standards established under the Program.

The WSDA is directed to adopt rules regarding Program certification standards and fees. Specifically, the WSDA must adopt rules that require cattle owners to maintain cattle birth and health records, and require the WSDA to conduct at least one inspection of the farm or ranch of origin. In addition, the WSDA must adopt rules that establish fees to recover the costs of providing certification, inspection, and other services related to administering the Program. The WSDA must also include the promotion of the Program in its agricultural product marketing programs. Funds collected for the Program must be paid to the Director of the WSDA (Director), deposited into an account within the Agricultural Loan Fund, and used solely for carrying out the purposes of the Program.

The Director has the authority to enter and inspect, at a reasonable time determined by the Director, any facility or records required under the Program. The Director may also take any samples necessary to determine whether any provisions of the Program or rules adopted under it have been violated. The Director may bring an action to enjoin a violation of the Program's provisions in Thurston County Superior Court or the superior court of any county where a violation occurs. Any person who violates the Program's provisions or rules may be subject to: (1) a civil penalty up to \$500 for each violation; and (2) denial, revocation, or suspension of any certification issued under the Program. "Person" in this context means any human being, firm, partnership, exchange, association, trustee, receiver, or corporation, and any member, officer, employee or assignee of any of these entities. Once a person receives notice from the Director to deny, revoke, or suspend a certification, the person may request an administrative hearing.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.